

**FILED**

**2008 MAY 28 PM 12:12**

**CLERK US DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

BY *Rm* DEPUTY

**UNITED STATES  
DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
SAN DIEGO DIVISION**

**# 151298 - MB**

**May 28, 2008  
11:49:48**

**Habeas Corpus**

USAO #: 08CV0678 HABEAS CORPUS

Judge.: NAPOLEON A JONES, JR

Amount.: \$5.00 CK

Check#: BC186-068250

**Total-> \$5.00**

FROM: TERRY LYNN HAWKINS

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7 UNITED STATES DISTRICT COURT  
8 SOUTHERN DISTRICT OF CALIFORNIA  
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10 TERRY LYNN HAWKINS,

11 Petitioner,

12 v.

13 UNKNOWN, Warden  
14 **FREDERICK B. HAWS WARDEN**

Respondent.

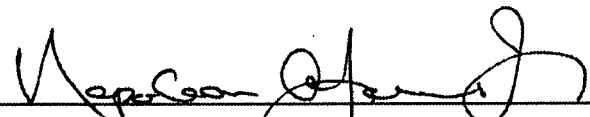
Civil No. 08cv0678 J (PCL)

**ORDER DISMISSING CASE  
WITHOUT PREJUDICE**

15 Petitioner, a state prisoner proceeding pro se, has filed a Petition for Writ of Habeas  
16 Corpus pursuant to 28 U.S.C. § 2254, but has failed to pay the \$5.00 filing fee and has failed to  
17 move to proceed in forma pauperis. Because this Court cannot proceed until Petitioner has either  
18 paid the \$5.00 filing fee or qualified to proceed in forma pauperis, the Court **DISMISSES** the  
19 case without prejudice. See Rule 3(a), 28 U.S.C. foll. § 2254. If Petitioner wishes to proceed  
20 with this case, he must submit, **no later than June 20, 2008**, a copy of this Order with the \$5.00  
21 fee or with adequate proof of his inability to pay the fee. The Clerk of Court shall send a blank  
22 Southern District of California In Forma Pauperis Application to Petitioner along with a copy  
23 of this Order.

24 **IT IS SO ORDERED.**

25  
26 DATED: April 18, 2008

27   
28 HON. NAPOLEON A. JONES, JR.  
United States District Judge

### ACKNOWLEDGMENT OF MAILING

I, TERRY LYNN HAWKINS, am a resident of California State Prison – Los Angeles County (LAC) at Lancaster, county of Los Angeles, California, and I am at least 18 years of age. My mailing address is California State Prison – Los Angeles County, Facility A, Building A2, Bed 238, P.O. Box 8457, Lancaster, California 93536.

On April 28, 20 08, I mailed a true and correct copy of the following document(s): **(YOU DO NOT HAVE TO GO INTO DETAIL ABOUT THE DOCUMENTS)**

#### LEGAL DOCUMENTS

On each party listed below by placing it in an envelope, with adequate postage or provided, and by depositing said envelope in a box for the United States Mail at LAC, 44750 60<sup>th</sup> Street West, Lancaster, California 93536.

This copy is being mailed to:

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA  
SUITE 4290 880 FRONT STREET SAN DIEGO CA, 92101-8900

I have additional copies to:

There are regular delivery services by the United States Mail between the above place of mailing and the parties listed.

I declare, under penalty of perjury, that the foregoing is true and correct.

Dated: April 28, 20 08, at Lancaster, California 93536.

Signed: [Signature] CDC# V-31556

#### LAC MAILROOM ACKNOWLEDGMENT OF MAILING

DATED: \_\_\_\_\_  
SIGNED: \_\_\_\_\_

Revised: February 8, 2005